

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

David L. Patton

A METHOD FOR PRINTING AND  
VERIFYING LIMITED EDITION  
STAMPS

Serial No. 10/762,668

Filed 22 January 2004  
MAIL STOP APPEAL BRIEF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Group Art Unit: 3722  
Confirmation No.: 5162  
Examiner: Mark T. Henderson

Sir:

**APPELLANTS' REPLY BRIEF**

This Reply Brief is necessitated by the Examiner's Answer mailed March 14, 2007.

The Examiner argues in the Answer that providing an inherent second indicia for confirming that the limited edition of the postal stamp is a valid limited edition official postal stamp. In this regard, the Examiner relies on the fact that the printing includes unique flaws or imperfections, wherein the print acts as a pseudo fingerprint. Applicant respectfully submits that this is mere speculation as to whether or not the printing has features that would confirm whether it is a limited edition stamp. There is nothing that teaches or suggests that the mere fact of printing a stamp would provide a unique pattern or that it could be used as a means for confirming that a stamp is a valid limited edition stamp as taught and claimed by Applicant. Applicant respectfully submits that speculation as to the inherent properties of printing is inappropriate for establishing that a claim limitation is present.

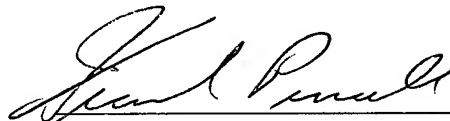
The Examiner also submits that a recitation of intended use of a claimed invention must result in a structural difference between the claimed invention and prior art. In this regard, the second indicia, as set forth in

independent claim has a specific property, i.e. the capability of confirming that it is a limited edition stamp. As such, this is a definitive structure that must be considered in determining obviousness and is not simply a mere intended use.

The fact that the Martin reference discloses use of UV ink, fails to teach or suggest the providing of a second indicia not capable of being scanned and not visible under normal viewing conditions for confirming that the limited edition stamp is a valid limited edition stamp.

For the foregoing reasons and the reasons set forth in Applicant's Brief, Applicant respectfully submits that the cited art fails to teach or suggest the invention as taught and claimed by Applicant.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank Pincelli", written over a horizontal line.

Attorney for Applicant(s)  
Registration No. 27,370

Frank Pincelli/jpc  
Rochester, NY 14650  
Telephone: 585-722-3335  
Facsimile: 585-477-4646